

REMARKS

Revocation of Power of Attorney

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also being submitted herewith.

Claim Rejections

Claims 1-3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (Figure 5) in view of Anthony (U.S. 5,573,412). Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Anthony and further in view of Warden et al. (U.S. 5,567,175).

Drawings

Applicant proposes to amend Figure 3, as illustrated in red on the attached photocopy. In Figure 3 it is proposed to change reference numbers 11, 12 and 13 to read 111, 112 and 113, respectively. No "new matter" has been added to the original disclosure by the proposed amendments to this figure. Approval of the proposed drawing changes is respectfully requested.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies. It is believed that the foregoing amendments to the specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

New Claims

By this Amendment, Applicant has canceled claims 1-4 and has added new claims 5-6 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a cable extension wire comprising: a plug (10) having: a housing (11); a circular flange (12) located on an exterior of the housing; and a plurality of electrodes (13) protruding from the housing; and a cable wire (20) connected to the plug at a first end thereof and connected to a plurality of sockets (30, 31, 32) on a second end thereof, each of the plurality of sockets having: a tube shaped housing (41); an accommodating chamber (45) with a recessed inner edge (42); a plurality of insertion holes (43) located within the accommodating chamber; and a cover connected to the tube shaped housing by a connecting piece (51), a protruding loop (52) having a circular protruding flange (53) located on an exterior thereof, the cover being movable between open and closed positions, wherein, when the cover is in the open position, the cover is withdrawn from the accommodating chamber, and, when the cover is in the closed position, the protruding loop of the cover is inserted into the accommodating chamber and the circular protruding flange being inserted into the recessed inner edge of the accommodating chamber creating a seal there between.

Other embodiments of the present invention include: a second plug (100) having a second plug housing (111) having a circular flange (112) located on an exterior thereof and a plurality of electrodes (113), when the cover of a selected socket of the plurality of sockets is in the open position, the second plug is inserted into the accommodating chamber of the selected socket, the plurality of electrodes (113) of the second plug are inserted into the plurality of insertion holes of the selected socket, the circular flange (112) of the second plug is inserted into the recessed inner edge of the accommodating chamber of the selected socket creating a seal there between.

Applicant's Admitted Prior Art teaches a cable extension wire including a plug (60), a plurality of sockets (80), connected to the plug, and a second plug (600) connected to one of the plurality of sockets.

Applicant's Admitted Prior Art does not teach each of the plurality of sockets having an accommodating chamber with a recessed inner edge; a cover connected to the tube shaped housing by a connecting piece, a protruding loop having a circular protruding flange located on an exterior thereof, the cover being movable between open and closed positions; when the cover is in the open position, the cover is withdrawn from the accommodating chamber; nor does Applicant's Admitted Prior Art teach when the cover is in the closed position, the protruding loop of the cover is inserted into the accommodating chamber, and the circular protruding flange being inserted into the recessed inner edge of the accommodating chamber creating a seal there between.

The secondary reference to Anthony teaches an electrical connector assembly (10) having a housing (12) with an electrical connector (14), and a mounting gasket (18) with a closure cap (16). The closure cap includes first and second annular ribs (116, 118) engaging an interior wall of a shroud (34) of the housing.

Anthony does not teach each of the plurality of sockets having an accommodating chamber with a recessed inner edge; nor does Anthony teach when the cover is in the closed position, the circular protruding flange being inserted into the recessed inner edge of the accommodating chamber creating a seal there between.

The secondary reference to Warden et al. teaches a transparent plug including a light-permeable housing (29) having a light source (53) located in a cavity (57).

Warden et al. do not teach each of the plurality of sockets having an accommodating chamber with a recessed inner edge; a cover connected to the tube shaped housing by a connecting piece, a protruding loop having a circular protruding flange located on an exterior thereof, the cover being movable between open and closed positions; when the cover is in the open position, the cover is withdrawn from the accommodating chamber; nor do Warden et al. teach when the cover is in the

closed position, the protruding loop of the cover is inserted into the accommodating chamber, and the circular protruding flange being inserted into the recessed inner edge of the accommodating chamber creating a seal there between.

Even if the teachings of Applicant's Admitted Prior Art, Anthony, and Warden et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: each of the plurality of sockets having an accommodating chamber with a recessed inner edge; nor does the combination suggest, when the cover is in the closed position, the circular protruding flange being inserted into the recessed inner edge of the accommodating chamber creating a seal there between.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be

non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Applicant's Admitted Prior Art, Anthony, or Warden et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Applicant's Admitted Prior Art, Anthony, nor Warden et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: January 6, 2005

By:


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IN THE DRAWINGS:

Please amend Figure 3 as illustrated in red on the attached photocopy.